
PLANNING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 25 April 2019 from 7.00pm - 8.50pm.

PRESENT: Councillors Mike Baldock, Cameron Beart, Bobbin, Andy Booth (Vice-Chairman), Richard Darby, Mike Dendor, James Hall, Nicholas Hampshire, Harrison, Mike Henderson, James Hunt, Ken Ingleton, Nigel Kay, Peter Marchington, Bryan Mulhern (Chairman) and Ghlin Whelan.

OFFICERS PRESENT: Simon Algar, Philippa Davies, Andrew Jeffers, Ross McCardle, Cheryl Parks and Jim Wilson.

APOLOGY: Councillor Prescott.

608 EMERGENCY EVACUATION PROCEDURE

The Chairman ensured that those present were aware of the emergency evacuation procedure.

609 MINUTES

The Minutes of the Meeting held on 4 April 2019 (Minute Nos. 594 – 600) were taken as read, approved and signed by the Chairman as a correct record, subject to noting Councillor Andy Booth's apologies.

610 DECLARATIONS OF INTEREST

Councillor Cameron Beart declared a Disclosable Non-Pecuniary Interest in respect of the deferred item, 18/501726/FULL, Land between 119a and 121a High Street, Sittingbourne, as he was Chairman of the Licensing Sub-Committee, when the licensing application had been considered. He reminded Members that Planning and Licensing were two separate regimes.

Councillor Richard Darby declared a Disclosable Non-Pecuniary Interest in respect of item 3.1, 19/500406/FULL, Land west of 12 Main Road, Queenborough. Councillor Darby did not speak or vote on this item.

Councillor Peter Marchington declared a Disclosable Non-Pecuniary Interest in respect of item 3.1, 19/500406/FULL, Land west of 12 Main Road, Queenborough.

611 DEFERRED ITEM

Reports shown in previous Minutes as being deferred from that Meeting

DEF ITEM 1 REFERENCE NO - 18/501726/FULL

APPLICATION PROPOSAL

Erection of a 3 storey building comprising of an amusement centre (adult gaming centre) on the ground floor with 2 x single bedroom flats on the upper floors.
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ADDRESS Land Between 119A And 121A High Street Sittingbourne Kent ME10 4AQ		
WARD Chalkwell	PARISH/TOWN COUNCIL	APPLICANT Godden Two LLP
		AGENT Roger Etchells & Co

Mr Doug Brown, an objector, spoke against the application.

Mr Roger Etchells, the Agent, spoke in support of the application.

The Chairman moved the officer recommendation to approve the application and this was seconded by the Vice-Chairman.

The Chairman invited Members to ask questions.

A Member asked whether the application complied with Policy DM1 of the Local Plan? The Senior Planner explained that as the plot was vacant at the moment, there was not a loss of retail floorspace, and it was not diluting the vitality of the High Street. The Senior Planner acknowledged that the application did not fully comply with 1c of DM1 as it would result in a concentration of non-retail frontage at this part of the High Street. He added that in the wider context there was a diverse use of units in this section of the High Street, and more retail uses than other uses.

The Member asked whether the application was detrimental to the concentration of retail frontages and the Senior Planner said that it was not.

The Committee debated the proposal to approve the application and raised the following points:

- It was an unfortunate position that the application had come back to the Committee, after having been considered at the meetings in November 2018 and April 2019;
- in the immediate vicinity of the application, six out of eight of the units were non-retail, which was potentially damaging to Policy DM1, however, there was currently nothing on this site;
- there were already enough gambling facilities in the High Street;
- this was not desirable for Sittingbourne High Street;
- this was positioned near to the entrance point to the Spirit of Sittingbourne development;
- this should be treated as a new application, and not just to consider the additional conditions that had been omitted from the resolution in November 2018;
- this should be refused;
- this would not enhance the High Street;
- the application was detrimental to the High Street;
- there were similar facilities already nearby;
- with regard to paragraph 2.05 in the report, this would not provide greater vitality, viability or diversity;

- the application was not necessary or welcome, and would not add anything to the High Street;
- gambling issues: mental health, addiction;
- the application would not benefit the High Street;
- it would have a negative impact on other businesses;
- a retail use was needed, we should wait for that;
- this was not the right business to attract people to the High Street;
- some of these points were not material planning considerations, there needed to be strong planning reasons if the application was to be refused; and
- noted that morality, as outlined in paragraph 2.08, was not a material planning consideration.

In accordance with Council Procedure Rule 19(2) a recorded vote was taken on the motion to approve the application and voting was as follows:

For: Councillors Cameron Beart, Bobbin, Andy Booth, Mike Dendor, James Hunt, Ken Ingleton, Nigel Kay, Peter Marchington and Bryan Mulhern. Total equals nine.

Against: Councillors Mike Baldock, Richard Darby, James Hall, Harrison, Mike Henderson and Ghlin Whelan . Total equals six.

Absent for part of the application: Councillor Nicholas Hampshire. Total equals one.

Resolved: That application 18/501726/FULL be approved subject to conditions (1) to (18) in the report.

612 SCHEDULE OF DECISIONS

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 18/504627/FULL		
APPLICATION PROPOSAL		
Erection of 3no. two storey blocks comprising of 9no. small business units for B1, B2 and B8 Use with associated car parking, service access, landscaping and access roadway. Additional car parking to serve both the proposed new units and the existing units at neighbouring Jubilee Industrial Estate. New access to link the new development into the existing neighbouring development at Jubilee Way Industrial Estate via Sidings Close and retention of existing access leading to Station Road.		
ADDRESS Faversham Rail Yard Station Road Faversham Kent		
WARD Abbey	PARISH/TOWN COUNCIL Faversham Town	APPLICANT George Wilson Developments Ltd AGENT Harrison Mutch

The Major Projects Officer referred Members to the tabled update. He sought delegated authority to approve the application subject to two further conditions (not included in the tabled paper). One, to ensure the gate to the site was kept unlocked for pedestrians to access the recreation ground and cross the railway line, and for it to be kept available in perpetuity. The second, that highway works be approved in writing by the Local Planning Authority. He further explained that Kent County Council (KCC) Highways and Transportation had been happy with the application, but had required an agreement to ensure the details of the highway works were controlled by planning condition. The Major Projects Officer explained that this would result in a wider planning benefit. He added that KCC Archaeology had no objection to the application. They had not requested an archaeological watching brief, but instead an archaeological condition, with a programme of archaeological works, with a timetable to be agreed.

Margaret Tilley, an objector, spoke against the application.

Mr George Wilson, the Applicant, spoke in support of the application.

The Chairman moved the officer recommendation to approve the application and this was seconded by the Vice-Chairman.

The Chairman invited Members to ask questions.

A Member asked to see a plan of the nearby Preston Malthouse and indications of what was intended. The Major Projects Officer showed a cross-section drawing and explained that Preston Malthouse was approximately one storey below the level of the access to the site, and there was an outside terrace wall parallel to the access road. The slope would be planted-up, in accordance with condition (11), and this would consist of native species. The Major Projects Officer explained that changes in the design layout of the road/junction were proposed. It would be tarmacked, with a segregated footpath. The road would be one-way with speed cushions to slow traffic down.

A Member asked what measures would be taken to ensure that the bank was properly maintained in the future? The Major Projects Officer explained that the onus was on the developer to maintain the site in perpetuity after the standard five-year maintenance plan. In response to a further question from the Member, the Major Projects Officer explained that traffic would enter the site from the B2040, and that the corner of the exit road and the road parallel to it would be improved, with a pedestrian crossing, and the new condition, outlined above, would enable these works to be fine-tuned and agreed with KCC Highways and Transportation.

A Ward Member explained that Swale Borough Council leased the recreation ground from Faversham Municipal Charities, and they supported the application.

The Committee debated the proposal to approve the application and raised the following points:

- This application needed care taken with it, but it was utilising a 'dead' area for visionary and modest employment use;

- the access did not cause loss of amenity, and traffic flow should not be from the Station Road to Jubilee Way direction, as noted by Faversham Town Council in the report;
- this scheme would provide 75 jobs;
- the site was in need of development;
- pedestrian access to the recreation ground was useful;
- there was an issue with the pinch-point at the access;
- individuals in nearby dwellings would be affected by this development; and
- concerned with future maintenance of the bund between the development and Preston Malthouse.

The Major Projects Officer advised that an additional condition could be added so that the applicant was required to submit a landscape management plan to ensure that the landscaped areas were managed for more than a five-year period. Members agreed to this and asked that Ward Members be kept informed.

Resolved: *That application 18/504627/FULL be delegated to officers to approve subject to conditions (1) to (21) in the report, the additional conditions set-out on the tabled paper in relation to ecology and highways, and the three additional conditions noted above, in relation to archaeology, fine tuning of highway details, and a landscape management plan.*

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 19/500406/FULL			
APPLICATION PROPOSAL			
Erection of 1 no. three bedroom detached dwelling on vacant land (Revision to 17/503199/FULL).			
ADDRESS Land West Of 12 Main Road Queenborough Kent ME11 5BQ			
WARD Queenborough And Halfway	PARISH/TOWN Queenborough	COUNCIL	APPLICANT Mrs Pauline Shoebridge AGENT

Mr Martin Coward, on behalf of the Applicant, spoke in support of the application.

The Chairman moved the officer recommendation to refuse the application and this was seconded by the Vice-Chairman.

The Chairman invited Members to ask questions.

A Member requested to see the plan views of surrounding properties to indicate any light issues. The Senior Planner showed the neighbouring house, and the next-door flats.

Another Member requested to see photographs of the site and surrounding area to help visualise what was there. The Senior Planner showed the wide side access, the flank wall and rear projection, and the design of the existing terrace of housing.

A Member noted that a dwelling had been approved on the site in 2001, and asked what the difference was between that one and the current application. The Senior Planner explained that it was relatively similar, but planning guidance had changed over the years, with two Local Plans and National Planning Policy Framework (NPPF), having been adopted in the interim, and as such, it was not acceptable under current policy.

A Member asked that if there was not the 3 metre projection to the rear of the property, would the application be acceptable? The Senior Planner advised that it might be, and the 3 metre rear projection at first floor level was in excess of the 1.8 metres recommended by Supplementary Planning Guidance (SPG).

The Committee debated the proposal to refuse the application and raised the following points:

- This application was contrary to policies CP4 and DM14 of the Local Plan;
- could not see demonstrable harm caused by the application;
- this should be approved;
- loss of a façade, there was an opportunity to replicate the existing terrace rather than have a blank wall;
- this should be refused, and an amended plan submitted;
- the site was an eyesore, something needed to be done;
- issue with rear projection;
- addition of dropped kerb would increase parking issues; and
- overhang to the front did not fit-in with the streetscene.

Resolved: That application 19/500406/FULL be refused for the reason outlined in the report.

3.2 REFERENCE NO - 19/500129/FULL		
APPLICATION PROPOSAL		
Demolition of existing outbuilding. Erection of two storey side extension, rear infill extension and two detached two storey triple garages.		
ADDRESS Cripps Farm Plough Road Minster-on-sea Sheerness Kent ME12 4JH		
WARD Sheppey East	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT D Buckley Ltd. AGENT DEVA Design

Mr David Buckley, the Applicant, spoke in support of the application.

The Chairman moved the officer recommendation to refuse the application and this was seconded by the Vice-Chairman.

A Ward Member spoke in support of the application. He explained that there was a large housing estate opposite the application site, where houses were being extended. The Ward Member considered the present dwelling was skewed to one side of the large plot, and this application would help to balance it out and make the dwelling look more attractive. The Ward Member said that this development would help to protect the vista and further developers from expanding. He considered the design to be very sympathetic and high quality, and the development would help to protect the Countryside Gap to the left of the property, and this could not be over-development of the site as it was 10 acres in size.

Members were invited to ask questions.

A Member asked about the proposed garages. The Senior Planner explained that there would be one to the front of the property and one at the back, both of the same design.

The Committee debated the proposal to refuse the application and raised the following points:

- The present dwelling looked unfinished;
- there needed to be conditions on the garages, so they could not become a home if the application was approved;
- there were many extensions on the estate across the road from this application;
- it was important to be consistent;
- there was another development close to this, but that was in the built-up area, this was in the countryside;
- this was a 140% increase in size, the SPG said maximum should be 60%;
- needed to keep to our policies;
- the house did look finished, with the door to the centre of it;
- the application would result in an entirely different building;
- this was a complete re-construction;
- the garage was visible from the front, detracting from the beauty of the countryside and did not improve the street scene;
- the new design would enhance the area, happy with the house, but issue with the triple garage to the front;
- positioned on top of a slope, would prefer to see a better designed dwelling;
- Minster was no longer a rural area, with caravan sites and housing nearby;
- the views of the countryside were disappearing;
- scale and size of garage to the front was an issue; and
- there were three houses in the street, this was not a streetscene, but rural housing.

In response to the issues raised, a Member asked whether the site was classed as rural or in the built-up area. The Senior Planner explained that it was within the countryside, with the countryside boundary set by the 2017 Local Plan. He added that the adopted SPG was used to defend appeals, and clear reasons as to why this application was exceptional to the SPG and Local Plan would be needed so as not to set a future precedent.

Resolved: That application 19/500129/FULL be refused for the reasons outlined in the report.

PART 5

Decisions by County Council and Secretary of State, reported for information

- **Item 5.1 – Sonning Villa, Christopher Row, Lynsted**
DELEGATED REFUSAL
APPEAL DISMISSED
- **Item 5.2 – Land situated at Hole Street Farm, Kingsdown Road, Lynsted**
ENFORCEMENT NOTICE APPEAL DISMISSED
- **Item 5.3 – 20 East Street, Sittingbourne**
DELEGATED REFUSAL
APPEAL DISMISSED
- **Item 5.4 – Land adjacent to St Giles Church, Tonge**
DELEGATED REFUSAL
APPEAL DISMISSED
- **Item 5.5 – Great Grovehurst Farmhouse, Grovehurst Road, Sittingbourne**
COMMITTEE REFUSAL
APPEAL DISMISSED

613 RECORD OF THANKS

The Chairman and Councillor Mike Henderson, who were not standing for election were thanked and they thanked other Members and officers.

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel